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REMARKS

Applicant submits this Response to the Office Action mailed September 9, 2004. In this
Response, Applicant has amended claims 4, 5, 7, 10 and 14-16. Claims 2-5, 7-10, 12-16 are still
pending. No new matter has been added.

The Examiner has rejected claims 2-5, 7-10 and 12-16 under 35 U.S.C. § 102(e) as anticipated
by U.S. Patent No. 5,652,789 to Miner et al. ("Miner"). Applicant respectfully requests that the
Examiner reconsider these rejections based upon the following.

The Miner reference describes a system referred to as an "electronic assistant" – a "computer-
implemented entity" that carries out tasks that are delegated to it. (Miner, col. 1, ll. 57-60.)
Among the services provided to subscribers to the electronic assistant are scheduling and
managing reminders, and notifying the subscriber when reminders come due. (Id., col. 2, ll. 23-
25.) "The subscriber can use spoken or DTMF commands to have the electronic assistant work
on various items, and the electronic assistant then uses a dialog to gather the information it needs
from the subscriber to complete the task." (Id., col. 5, ll. 34-38.) In the case of the reminder
service, a subscriber may use a voice dialog to record a message, set a time for the reminder, and
optionally indicate a "contact" in the subscriber's "contact list" as a reminder to call. (Id., col.
40, ll. 6-54.) The reminder is placed in a time ordered queue, for delivery at the specified time.
(Id., col. 40, l. 55 to col. 41, l. 1.) On the delivery time, the subscriber is attempted to be
notified, either by interrupting a current "session" of the subscriber with the electronic assistant,
or through a "locate-and-notify" task. (Id., col. 41, ll. 6-24.) The locate-and-notify task

> checks the subscriber's override schedule to determine whether the subscriber has
> an override for that time. If no override exists, the electronic assistant checks the
> default schedule. If the default schedule identifies a location for that time, the
> electronic assistant can find the telephone number for that location from the
> information stored in the subscriber's user object. (Id. col. 35, ll. 41-47.)

In contrast to Miner, claim 4 recites a method – and claim 15 recites a medium that stores
computer program code to perform a method – that includes:

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> receiving, via a data network, event data associated with the user, the event data comprising information for connecting a call to the one or more parties and a time period for initiating the call;
>> storing the event data in a database;
>> determining that a current time is within the time period for initiating the call;
>> notifying the user by instant message sent via the data network that the call is about to take place;
>> receiving confirmation from the user via the data network to initiate the call to the one or more parties on behalf of the user; and
>> establishing the call between the user and the one or more parties via the telephone network based on the event data.

Miner does not teach or suggest the method recited by claims 4 and 15. For example, Miner does not describe notifying a user by instant message sent via a data network that a call is about to take place, or receiving confirmation form the user via the data network to initiate the call to one or more parties on behalf of the user. The absence of at least these elements of claims 4 and 15 preclude anticipation of claims 4 and 15 by Miner. As a result, Applicant believes claims 4 and 15 to be patentable over Miner, and respectfully requests that the Examiner withdraw the rejections of claims 4 and 15. As claims 2 and 3 depend from claim 4, and therefore include all of the limitations of claim 4, Applicant believe claims 2 and 3 to be patentable over Miner for at least the same reasons as claim 4, and therefore respectfully request that the Examiner withdraw the rejections of claims 2 and 3 as well.

Claim 5 recites a method – and claim 16 recites a medium that stores computer program code to perform a method – that includes:

> establishing at least one event record corresponding to the call, the event record comprising user information and at least one telephone identifier;
> associating the event record with an event time;
> requesting authorization from the user by instant message sent via a data network to initiate the call, based on a current time and the event time; and
> initiating the call to the at least one party on behalf of the user, based on an affirmative response to the authorization request from the user, the affirmative response sent by the user over the data network.

Miner does not teach or suggest the method recited by claims 5 and 16. For example, Miner does not describe requesting authorization from the user by instant message sent via a data network to initiate the call, based on a current time and the event time, or initiating the call to the

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at least one party on behalf of the user, based on an affirmative response to the authorization

request from the user, the affirmative response sent by the user over the data network. The

absence of at least these elements of claims 5 and 16 preclude anticipation of the claims by

Miner. As a result, Applicant believes claims 5 and 16 to be patentable over Miner, and

respectfully requests that that Examiner withdraw the rejections of claims 5 and 16.

Claim 10 recites an apparatus that includes:

> a receiver for receiving via the data network event data associated with the caller,
> a calendar system for storing event data comprising information for connecting with the one or more parties and a time period for connecting; and
> a transmitter for connecting the caller via the telephone network to the one or more parties based on the event data, wherein the transmitter determines that a current time is within the time period for connecting, notifies the caller by instant message sent via the data network that a connection is about to take place, and receives confirmation from the caller via the data network to initiate the connection to the one or more parties.

Miner does not teach or suggest the apparatus recited by claim 10. For example, Miner does not

describe a transmitter for connecting a caller via the telephone network to one or more parties

based on event data, wherein the transmitter determines that a current time is within the time

period for connecting, notifies the caller by instant message sent via the data network that a

connection is about to take place, and receives confirmation from the caller via the data network

to initiate the connection to the one or more parties. The absence of at least these elements of

claim 10 preclude anticipation of claim 10 by Miner. As a result, Applicant believes claim 10 to

be patentable over Miner, and respectfully requests that the Examiner withdraw the rejection of

claim 10. As claims 7-9 depend from claim 10, and therefore include all of the limitations of

claim 10, Applicant believe claims 7-9 to be patentable over Miner for at least the same reasons

as claim 10, and therefore respectfully request that the Examiner withdraw the rejections of

claims 7-9 as well.

Claim 14 recites a system that includes:

> means for running a calendar application for receiving event data from the user via the data network and for storing the event data in a database, wherein the event data comprises information for connecting with the one or more parties and a time period for connecting;
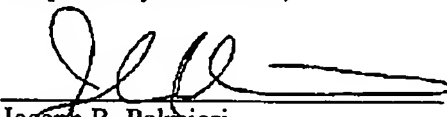
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   means for determining that a current time is within the time period for connecting;

   means for notifying the user by instant message sent via the data network that a connection is about to be initiated;

   means for receiving confirmation from the user via the data network to initiate the connection to the one or more parties on behalf of the user; and

   means for connecting the user and one or more parties based on event data.

Miner does not teach or suggest the apparatus recited by claim 14. For example, Miner does not describe a means for notifying the user by instant message sent via the data network that a connection is about to be initiated, or a means for receiving confirmation from the user via the data network to initiate the connection to the one or more parties on behalf of the user. The absence of at least these elements of claim 14 preclude anticipation of claim 14 by Miner. As a result, Applicant believes claim 14 to be patentable over Miner, and respectfully requests that the Examiner withdraw the rejection of claim 14. As claims 12 and 13 depend from claim 14, and therefore include all of the limitations of claim 14, Applicant believe claims 12 and 13 to be patentable over Miner for at least the same reasons as claim 14, and therefore respectfully request that the Examiner withdraw the rejections of claims 12 and 13 as well.

In view of the foregoing, Applicant respectfully submits that the pending claims are in condition for allowance. Accordingly, Applicant requests that the Examiner pass this application to issue. If there are any outstanding issues which need to be resolved to place the application in condition for allowance, the Examiner is invited to contact Applicant's undersigned representative by phone at the number indicated below to discuss such issues.

       Respectfully submitted,

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